

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

HM COMPOUNDING SERVICES,)
LLC, and HMX SERVICES, LLC,)

Plaintiffs,)

v.)

EXPRESS SCRIPTS, INC.,)

Defendant.)

Case No. 4:14-cv-01858 (JAR)

CONSENT JUDGMENT

HMX Services, LLC hereby pleads, stipulates, consents, and agrees to this Consent Judgment to be entered on Count II of the Counterclaim asserted by Express Scripts, Inc. (“Express Scripts”) against it (Doc. No. 188), as follows:

1. Judgment is entered in favor of Express Scripts and against HMX Services, LLC in the principal amount of Twenty Million Dollars and Zero Cents (**\$20,000,000.00**) on Count II of Express Scripts’ Counterclaim (Doc. No. 188).

2. Post-judgment interest on this Judgment shall accrue at the statutory rate of Nine Percent (9%) per annum.

3. The parties hereby waive their right to trial by jury as it relates to any enforcement of this judgment, and waive their right to appeal from this Consent Judgment.


4. The failure of Express Scripts to strictly enforce the terms hereof shall not waive any of Express Scripts’ rights herein.

5. This constitutes a final judgment pursuant to Federal Rule of Civil Procedure 52, and may be executed upon entry.

6. As recited on the record before the Court on November 13, 2018, HMX Services, LLC and Express Scripts have acknowledged that they understand the terms of this Consent Judgment, and after a full opportunity to review those terms and consult with counsel, they accept and agree to the entry of this Consent Judgment as set forth herein.

IT IS SO ORDERED, FOR WHICH LET EXECUTION ISSUE FORTHWITH:

HONORABLE JUDGE JOHN ROSS



Date January 28, 2019